

Williams v. Russo's

Joseph Labuda <joe@mllaborlaw.com>

Tue 1/30/2024 12:55 PM

To: Rita Sethi <rsethi@stollglickman.com>

Cc: David Aminov <daminov@mllaborlaw.com>

Rita –

On November 28, 2023, the Court so Ordered that “[a]ll depositions are to be completed by January 15, 2024.” Thereafter, on January 11, 2024, you sent an email to us attaching a subpoena for Frank Russo, Jr., and offered the following dates for a deposition of Frank Russo, Jr.: January 16, January 17, January 18, January 19, January 22, January 25, and January 26. Your requested dates to depose Frank Russo, Jr. outside of the timeframe that is So Ordered by the Court, and as a result, your notice of deposition is untimely. Moreover, you have not sought any extension of time from the Court. Therefore, you are not entitled to belatedly take the deposition of Frank Russo, Jr. It is also notable that you included Frank Russo, Jr. as a defendant in your initial Complaint, so you clearly knew about his existence and alleged importance and yet still did not seek to depose him within the time set by the Court.

Joe

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